

AGENDA

**REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**DECEMBER 15, 2003
5:00 P.M. (EST)**

1. INVOCATION ROLL CALL

PUBLIC HEARING Adjustable Rate Industrial Building Revenue Bonds, Series 2003
(Kentucky Domestic Violence Association, Inc. Project)

MINUTES November 6, 2003 Special Meeting, December 1, 2003 Work Session,
December 3, 2003 Special Meeting

MAYOR'S REPORT

2. CEREMONIAL ITEMS

2.1 Employee Recognition.

Background: The Board of Commissioners traditionally recognizes City employees with the various departments for their accomplishments. At this meeting, employees will be recognized as follow:

Retirement, Fire Department:

Assistant Chief Doug Howard is retiring effective 12/31/03 with 30 years of service;

Lieutenant John Hackett is retiring effective 12/31/03 with 28.5 years of service.

Swearing In of Firefighters:

The Oath of Office will be administered by Mayor May to John Crum who was hired 12/2/03 and Michael Felty and Mark Traylor who were hired 9/2/03.

Special Achievement:

On 11/5/03, employees of the Public Works Department participated at the APWA (American Public Works Association) Kentucky Chapter State Championship and won the following events:

Allen Burriss and Eddie Wiley finished in First Place in the Snow Plow Team Event;
Allen Burriss finished in First Place in the Back Hoe Individual Event; and
Freddie White and Paul Kirk finished in Fourth Place in the Snow Plow Team Event (Third Place for this region).

Attachments: None.

3. ORDINANCES

- 3.1 **SECOND READING:** An Ordinance Authorizing the Issuance of Adjustable Rate Industrial Building Revenue Bonds, Series 2003 (Kentucky Domestic Violence Association, Inc. Project) of the City of Frankfort, Kentucky, in a Principal Amount Not to Exceed \$600,000, the Proceeds of which shall be Loaned to Kentucky Domestic Violence Association, Inc. to Finance the Acquisition, Construction, Installation and Equipping of an Industrial Building to be Located within the City of Frankfort, Kentucky for Use as Health Care and Related Facilities by the Kentucky

Domestic Violence Association, Inc.; Providing for the Pledge of Revenues for the Payment of Such Bonds; Authorizing a Loan Agreement Appropriate for the Protection and Disposition of Such Revenues and to further Secure such Bonds; Authorizing a Bond Purchase Agreement, Tax Regulatory Agreement, Mortgage and Assignments; and Authorizing Other Actions in Connection with the Issuance of Such Bonds.

Background: If approved, these bonds would be issued under Chapter 103 of the Kentucky Revised Statutes and would be payable solely from payment to be made by the Kentucky Domestic Violence Association. The City is not pledging its faith or credit or taxing power in any way. Specific language to that effect is contained in the bond ordinance.

This ordinance had its first reading 11/6/03.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Dirk M. Bedarff

Title: Attorney

Department: Peck, Shaffer & Williams LLP

Phone: (859) 431-7000

Greg Mullins

Vice President - Public Funds

Fifth Third Bank, Kentucky, Inc.

(859) 455-5410

Name: John Shasky

Title: Public Funds Relationship Mgr.

Department: Fifth Third Bank, Kentucky, Inc.

Phone: (502) 227-1237

Sherry Currrens, Executive Director

Mary O'Doherty, Development Admin.

Kentucky Domestic Violence Association

(502) 695-2444

3.2 FIRST READING: An Ordinance Establishing a Lateral Maintenance Fee for Sewer Services.

Purpose: The purpose of this item is to consider an ordinance establishing a \$4.00 monthly fee for all sewer customers to cover the cost associated with the City of Frankfort accepting responsibility for repair and replacement of laterals in right-of-way and public easements as recommended by the Special Sewer Task Force after holding public meetings.

Background: On 4/21/03, the Board of Commissioners created a Special Task Force to evaluate the current lateral policy of the Sewer Department and make a recommendation on any changes that might be appropriate. The Task Force has been meeting and a formal recommendation was made to the Board on 10/6/03 for the City to accept responsibility for ownership of sewer laterals within right-of-way and public easements. Maintenance of flow due to blockages will remain the responsibility of the property owner.

Common laterals will become the responsibility of the City at the point of discharge from more than one building. Acceptance of responsibility of common laterals would be contingent upon property owners providing easements to the City of Frankfort at no cost to the City.

Financial Analysis: Approval of this ordinance will generate approximately \$600,000 in additional annual revenue to be utilized for lateral repair and replacement. Fee will be charged beginning with the February, 2004 billing statements.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: William R. Scalf, Jr.
Title: Director
Department: Sewer
Phone: (502) 875-2448
E-mail: wscalf@fewpb.com

3.3 FIRST READING: An Ordinance Amending Ordinance No. 26, 1976 Series, and Frankfort Municipal Code Section 15.30.030 - Blasting Permits.

Purpose: The purpose of this item is to consider an ordinance increasing the fee for blasting permit from ten dollars (\$10.00) to two hundred dollars (\$200.00).

Background: The fee charged by the City for the issuance of a blasting permit has been ten dollars (\$10.00) since 1976 and covers all blasting operations at a specified location for a period of twelve months. Considering the inspection of the blasting site by the Fire Department, verification of credentials and potential problems associated with the blasting operation, it is recommended that the fee be raised to a more appropriate level of two hundred dollars (\$200.00). This would keep the fee comparable to the City's burning permit fee, which is at \$200.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Wallace Possich
Title: Fire Chief
Department: Fire
Phone: (502) 875-8511
E-mail: wpossich@fewpb.com

4. ORDERS

4.1 An Order Adopting an Interlocal Cooperation Agreement Between the City of Frankfort and Commonwealth of Kentucky, Transportation Cabinet, District Five, Relating to Co-Permitting Under the Clean Water Act and the United States Environmental Protection Agency's National Pollution Discharge Elimination System, Stormwater Phase II Program.

Purpose: The purpose of this item is to consider adopting an Interlocal Cooperation Agreement for the Stormwater Phase II Program with the Kentucky Transportation Cabinet.

Background: On 3/10/03, the City applied for a Kentucky Pollution Discharge Elimination System (KPDES) storm water permit as required by the Phase II Stormwater Program. The Phase II Stormwater Program is an unfunded mandate required by the Clean Water Act and is administered locally by the Kentucky Division of Water. The purpose of the program is to address storm water quality impacts on the streams within the communities "urbanized" area.

The Interlocal Cooperation Agreement relating to the Phase II Stormwater Program outlines the responsibilities of the City and the Kentucky Transportation Cabinet. Under this Agreement, the City is responsible for the stormwater facilities within the City limits and the Transportation Cabinet will be responsible for the facilities within State right of way.

Attachments: Order.

Recommendation: Approval.

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

5. RESOLUTIONS

None.

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Award Contract for Construction of the Wastewater Treatment Plant (WWTP) Effluent Flow Metering System and Ozone System Site Work to Free Contracting, Inc. (Sewer Department)

Purpose: The purpose of this item is to consider awarding contract for construction of the Sewer Department's WWTP effluent flow metering system (parshall flume) and ozone system site work.

Background: Out of the eight companies that were sent bid packages, five submitted bids. Bids were opened on 11/5/03. The low bidder, Free Contracting, Inc. of Lexington, Kentucky, meets all specifications and submitted a bid of \$174,000.

Financial Analysis: Funding is allocated in Sewer Equipment Account 300.68.56550.

Recommendation: Approval.

Attachments: Bid Tabulation.
Letter dated 11/7/03 from HMB Professional Engineers, Inc.

Contact Person

Name: William R. Scalf, Jr.
Title: Director
Department: Sewer
Phone: (502) 875-2448
Email: wscalf@fewpb.com

6.2 Authorization to Solicit Request for Qualifications (RFQ) Related to Plumbers and/or Contractors to Perform Construction Services Associated with Public Sewer Lateral Repair or Replacement. (Sewer Department)

Purpose: The purpose of this item is to consider authorization to solicit Request for Qualifications for plumbers and/or contractors to perform construction services associated with public sewer lateral repair or replacement.

Background: The Board of Commissioners created a Special Task Force on sanitary sewer policies for the Sewer Department on 4/21/03. The Task Force has recommended that the City

take responsibility for repair and replacement of public sewer laterals.

In order to accomplish this task, the City will contract the repair/replacement work for the first year. The plumbers/contractors will perform the work under the supervision of a Sewer Department inspector. This will be a Unit Price Contract and multiple contracts will be awarded. Work authorized under this contract will not exceed the funds generated by the lateral maintenance fee.

Financial Analysis: Funding will be provided by the lateral maintenance fee for sewer services (see Agenda Item 3.2).

Recommendation: Approval.

Attachments: None.

Contact Person

Name: William R. Scalf, Jr.
Title: Director
Department: Sewer
Phone: (502) 875-2448
Email: wscalf@fewpb.com

6.3 Bid Award: Uniform Rental Contract to Hart's Uniform Rental Service. (Finance Department)

Purpose: The purpose of this item is to consider awarding a three (3) year contract to provide uniform rental service for uniformed employees in Planning & Building Codes, Parks and Recreation, Public Works and Vehicle Maintenance Garage.

Background: On 11/13/03, six bids were received for providing uniform rental service for a three (3) year period for uniformed employees in Planning & Building Codes, Parks and Recreation, Public Works and the Vehicle Maintenance Garage. A Selection Committee was formed for review and evaluation of bids, employing a weighted rating process. Following its evaluation, the Selection Committee recommends that the contract be awarded to the second low bidder, Hart's Uniform Rental Service, based on weighted rating points received and its references.

Financial Analysis: Funds are allocated in the various department clothing accounts for uniform service.

Recommendation: Approval.

Attachments: Bid Tabulation Sheet.
Evaluation forms.

Contact Person

Name: Angie Disponette
Title: Deputy Finance Director/ Purchasing Agent
Department: Finance
Phone: (502) 875-8505
E-mail: adisponette@fewpb.com

6.4 Bid Award: Hauling In and Storage of Motor Vehicles Impounded by the City to Harrod's Diesel Towing and Recovery. (Finance Department)

Purpose: The purpose of this item is to consider awarding a two-year contract to Harrod's Diesel Towing and Recovery for the hauling-in and storage of motor vehicle impounded by the City.

Background: On 9/24/03, the Finance Department advertised for bids for hauling-in and storage of motor vehicles impounded by the City. On 10/6/03, bid opening was held with Harrod's Diesel Towing and Recovery being the sole bidder. Harrod's meets all specification requirements and has done this work for the City for the past several years.

Recommendation: Approval.

Attachments: Bid Tabulation Sheet.
Bid/Proposal Form.

Contact Person

Name: Angie Disponette
Title: Deputy Finance Director/ Purchasing Agent
Department: Finance
Phone: (502) 875-8505
E-mail: adisponette@fewpb.com

6.5 Authorization to Declare Work Carts as Surplus for Disposal through Trade In on one 2004 Club Cart Carry-All. (Golf Course)

Purpose: The purpose of this item is to consider declaring two Easy-Go work carts and one John Deere work cart as surplus and authorize disposal through trade in toward purchase of one 2004 Club Cart Carry-All.

Background: Due to age and condition, the three work carts are no longer useful to the Golf Course. The two Easy-Go work carts are 11 years old, and the John Deere work cart is 9 years old. Authorization is requested to declare the work carts as surplus to be disposed of through trade in toward the purchase of one 2004 Club Cart Carry-All, 2x2, 11 HP, with key start engine, four-wheel brake, headlights and cargo box.

The cost of the 2004 Club Cart Carry-All is \$5,949.92, less trade-in value of \$1,100.00 for the three surplus carts, resulting in a final purchase price of \$4,849.92.

Financial Analysis: Funding is allocated in equipment account 100.79.56550.

Recommendation: Approval.

Attachments: None

Contact Person

Name: Gene Hilten
Title: Golf Pro
Department: Golf
Phone: (502) 875-8559

6.6 Authorization to Purchase Modular Home at East Frankfort Park. (Parks & Recreation)

Purpose: The purpose of this item is to consider the purchase of one 1987 Modular Home at East Frankfort Park from Jim Parrish in the amount of \$40,000.

Background: Mr. Parrish has owned and lived in the modular home since 1980. This is the only remaining live-in property that the City does not own. Two appraisals have been obtained, one at an estimated value of \$65,000 and one at an estimated value of \$53,000. Mr. Parrish has agreed to accept \$40,000 for the modular home.

Financial Analysis: Funding in the amount of \$40,000 has been allocated in Capital Improvements, Account 100.90.53295.

Recommendation: Approval.

Attachments: Appraisal from Highley Appraisal Service.
Appraisal from James D. Sewell, Real Estate Appraisals.
City of Frankfort Property Tax Bill, 2003.

Contact Person
Name: Steve Brooks
Title: Director
Department: Parks & Recreation
Phone: (502) 875-8575
E-mail: Sbrooks@fewpb.com

6.7 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Retirement	William D. Howard	Fire	12/31/03	Assistant Chief, authorize payment accrued leave: 345 hrs. vacation, 2 hrs. holiday and 14.5 hrs. compensatory
Retirement	John Hackett	Fire	12/31/03	Lieutenant, authorize payment 58 hrs. accrued vacation leave and 48 hrs. holiday leave
Conditional Offer of Employment*	Jason S. Monroe			Firefighter
Retirement	Roy L. Todd	Garage	12/31/03	Lead Mechanic, authorize payment 392 hrs. vacation leave
Appointment	Lisa S. Hockensmith	Sewer	1/6/04	Office Assistant
Appointment	Daniel S. Doss	Public Works	12/16/03	Maintenance Worker - Streets
	Paul A. Scott	Public Works	12/16/03	Maintenance Worker - Sanitation
	Marvin R. Gibson	Public Works	12/16/03	Maintenance Worker - Sanitation
Confirmation	Michael Davidson	Police	12/17/03	Patrol Officer
Reclassification/Transfer	Jo A. Morgan	Planning & Building Codes	1/5/04	Code Enforcement Inspector from License Enforcement Officer, Finance Department

*Contingent upon successfully completing physical examination.

Attachments: Memorandum of retirement from Doug Howard dated 11/24/03.
Letter of retirement from John A. Hackett dated 11/24/03.
Memorandum of retirement from Roy Todd dated 11/24/03.

Contact Person

Name: John Morrow
Title: Personnel Director
Department: City Manager's Office
Phone: (502) 875-8500
E-mail: Jmorrow@fewpb.com

7. BOARD APPOINTMENTS

8. OLD BUSINESS

8.1 Professional Services Agreement with Strand Engineers for Phase 2 Stormwater Permit. (Public Works)

Purpose: The purpose of this item is to consider entering a Professional Services Agreement with Strand Engineers to assist the City with the Phase 2 Stormwater Permit implementation.

Background: The Kentucky Division of Water has officially designated the City of Frankfort and portions of Franklin County as a Phase 2 storm water community. The Phase 2 Stormwater Permit requires the City and the County to evaluate its stormwater system and begin development of a storm water quality program. Strand will assist the City and County in implementing the stormwater program that was approved by the Kentucky Natural Resources Cabinet.

On 10/20/03, the Board of Commissioners approved an agreement with Strand Engineers in the amount of \$50,000 that addressed the following tasks:

- Ø Storm Water Funding Options
- Ø Good Housekeeping for Municipal Operations
- Ø Phase 2 Stakeholders Group
- Ø Stormwater Quality Ordinance Audit and Development

The proposed Professional Services Agreement with Strand Engineers in the amount of \$80,000 will address the remaining tasks identified in the 2004 Phase 2 Storm Water Program. These tasks include:

- Ø Erosion and Sediment Control Design Standards
- Ø Construction Site Waste Control Standards
- Ø Develop Web Page for Public Education
- Ø Develop Storm Water Quality Educational Program for City Employees
- Ø 2004 Annual Report
- Ø Stormwater Outfall Mapping

Financial Analysis: Funds are available in Capital Improvement Account 100.90.53295 for this professional service. This Agreement will raise the contract price with Strand Engineers from \$50,000 to \$130,000.

Recommendation: Approval.

Attachments: Engineering Services Agreement.

Contact Person

Name:	Jeff Hackbart	Bill Scalf
Title:	Director	Director
Department:	Public Works	Sewer
Phone:	(502) 875-8563	(502) 875-2448
E-mail:	jhackbrt@fewpb.com	wscalf@fewpb.com

8.2 Change Order No. 2 on the Jones Run Pump Station Upgrade Project - HMB Engineers, Inc.
(Public Works)

Purpose: The purpose of this item is to consider Change Order No. 2 on the Jones Run Pump Station Upgrade Project with the contractor, Smith Contractors, Inc.

Background: The City's Project Engineer, HMB Engineers, Inc., recommends approval of Change Order No. 2 for the Jones Run Project. The Change Order consists of the following items:

- Ø Installing 36" ductile iron pipe in lieu of the 36" steel pipe that was called for in the project specifications. HMB approved the installation of the ductile iron since the pipe material was of an equal quality at a lower cost. This item resulted in a \$5,800 decrease.
- Ø Extending the electrical service seven feet above the transformer deck. The extension was required to meet the Frankfort Plant Board's specifications. This item increased the contract price \$5,982.30.
- Ø During the Pump Station start up, it was discovered that the level controls had to be relocated in order to get an accurate reading and an electrical transducer was required in the motor control center to reduce the electrical interference with the feeder conduits. This item increased the contract price \$1,552.50.

Financial Analysis: Change Order No. 2 will increase the contract price by \$1,734.80, from \$798,430.00 to \$800,164.80. Funds are available in the 1997 Bond Issue for this Project.

Attachments: Change Order No. 2.

Recommendation: Approval.

Contact Person

Name:	Jeff Hackbart
Title:	Director
Department:	Public Works
Phone	(502) 875-8563
E-mail:	jhackbrt@fewpb.com

9. NEW BUSINESS

9.1 2002-2003 Annual Audit for the City of Frankfort. (Finance Department)

Purpose: The purpose of this item is to consider the 2002-2003 Annual Audit for the City of Frankfort as prepared by Charles T. Mitchell Co.

Background: The 2002-2003 audit was presented to the Board at its 12/1/03 work session.

Financial Analysis: Funding in the amount of \$17,000 is allocated in General Fund Account 10.53220 and \$13,000 is allocated in Sewer Account 68.53220.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: James C. Rogers
Title: Director
Department: Finance
Phone: (502) 875-8505
E-mail: Jrogers@fewpb.com

9.2 2004 Regular Season and Season Pass Rates for Juniper Hill Golf Course.

Purpose: The purpose of this item is to consider the golf rates schedule for the Juniper Hill Golf Course for the 2004 Season.

Background: The cost for regular season and season pass rates has remained consistent since 2001. The established rate is based on the implementation of the Bermuda Grass project the past three years (eleven fairways have been completed), part of the course is under construction, and the condition of the economy. Plans for 2004 include continued renovation/construction on the golf course including lazier leveling of the tees, building new tees on #3 and #15, completing three additional fairways with Bermuda Grass, completing the black top project, and other course maintenance. An increase in number of rounds and tournaments is anticipated for the 2004 Season.

Recommendation: Approval.

Attachment: Juniper Hill 2004 Regular Season and Season Pass Rates.

Contact Person

Name: Gene Hilen
Title: Golf Pro
Department: Golf
Phone: (502) 875-8559

9.3 Professional Services Contract for Wage and Salary Classification Study. (City Manager's Office)

Purpose: The purpose of this item is to consider a Professional Services Contract with The Mercer Group for a Wage and Classification Study for all employees of the City.

Background: During the budget review process in May, 2003, the Board of Commissioners requested that a wage and classification study be completed.

On 10/6/03, the Board reviewed the draft Request for Proposals (RFP), and on 11/6/03 the Board authorized advertising of the RFP. Two proposals were received in response to the RFP.

A Review Team that consisted of the Acting City Manager, Personnel Director, Purchasing Agent, Communications Director, and Sewer Director was selected at a Department Head meeting. Following its evaluation, the Review Team recommends that the contract be awarded to The Mercer Group, which received the highest ranking based on weighted rating points received and its references.

The Board may agree with the Review Team's recommendation or may amend the weighted point system or create their own as deemed necessary.

Financial Analysis: The fee for these services will be at a not-to-exceed fee of \$23,625 with funding from Reserve for Contingency, 95.53295.

Recommendation: Approval.

Attachments: Bid Tabulation.
Summary of ranking from Review Team dated 10/31/03.

Contact Person

Name: Gary Muller
Title: Acting City Manager
Department: City Manager
Phone: (502) 875-8513
E-mail: Gmuller@fewpb.com

10. CITIZEN COMMENTS

11. COMMISSIONER COMMENTS

12. ADJOURNMENT Closed session, KRS 61.810 (1), (b), (f), property and personnel